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10 ROBERT WALKER AND BROCADE
COMMUNICATIONS SYSTEMS, INC.

11
12 UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16 IN RE BROCADE COMMUNICATIONS)
SYSTEMS, INC. DERIVATIVE LITIGATION.)

17)
18 This Document Relates to:)

19 ALL ACTIONS)
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CASE NO.: C05-02233 CRB

**STIPULATION AND [PROPOSED]
ORDER CONTINUING
PRELIMINARY SETTLEMENT
HEARING AND MODIFYING
BRIEFING SCHEDULE**

1 WHEREAS, this is a consolidated shareholder derivative action brought on behalf of
2 Brocade Communications Systems, Inc. ("Brocade") against certain officers and directors of
3 Brocade;

4 WHEREAS, a settlement has been reached and a preliminary settlement hearing was held
5 on August 18, 2006 at 10:00 a.m.;

6 WHEREAS, by order entered August 18, 2006, the Court scheduled an additional
7 preliminary settlement hearing for August 28, 2006 and ordered the parties to submit additional
8 briefing by August 23, 2006;

9 WHEREAS, the parties wish to submit the opinions of an expert, and require additional
10 time for the expert's report to be prepared and to incorporate the report into the additional
11 briefing;

12 WHEREAS, the parties hereto have agreed, subject to the Court's approval, to continue
13 the deadline to file additional briefing to September 15, 2006, and to continue the preliminary
14 settlement hearing until September 22, 2006 at 10:00 a.m., or such other date and time that the
15 Court deems appropriate;

16 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
17 subject to approval of the Court, that the deadline to file additional briefing shall be continued
18 until September 15, 2006, and the preliminary settlement hearing shall be continued until
19 September 22, 2006 at 10:00 a.m., or such other date and time that the Court deems appropriate.
20

21 Dated: August 22, 2006

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

22
23 By: \s\ Mark T. Oakes
24 Mark T. Oakes

25 Attorneys for Defendants
26 Michael Klayko, Seth Neiman, Neal Dempsey,
27 Christopher Paisley, David House, Nicholas
28 Moore, L. William Krause, Sanjay Vaswani,
Robert Walker and Brocade Communications
Systems, Inc.

1 Dated: August 22, 2006

FARUQI & FARUQI, LLP

2
3 By: \s\ Adam Gonnelli
Adam Gonnelli

4 Attorneys for Plaintiffs

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9 **[PROPOSED] ORDER**

10 Upon stipulation of the parties, and good cause appearing, the preliminary settlement
11 hearing is continued until September 22, 2006 at 10:00 a.m. The parties shall submit any
12 additional briefing no later that September 15, 2006.

13
14 IT IS SO ORDERED.

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16 Dated: August 25, 2006

